IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 15584 of 2004

Between:

Sri Y.V.Mahender Reddy, s/o Sri Y.Yella Reddy,
R/o MIGH 59, Bharath Nagar Colony,
Hyderabad-500 018.

..... PETITIONER

AND

1 The District Collector, Ranga Reddy District.
2 The Revenue Divisional Officer, Chevalla, Ranga Reddy District.
3 The Mandal Revenue Officer, Moinabad Mandal, Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction particularly in the nature of writ of mandamus declaring the inaction of the respondents in considering the application of the petitioner dt.13-12-2002 for assignment of Government land in terms of G.O.Ms.No.743, Revenue Department dt.30-04-1963 as arbitrary, illegal and for erroneous reasons and to issue a consequential direction to the respondents to assign lands for the purpose of Agriculture in terms of G.O.Ms.No.743, Revenue Department dt.30-04-1963.

Counsel for the Petitioner: MR.A.RAJENDRA BABU

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

The Court at the admission stage made the following ORDER:

Petitioner, who is an Ex-serviceman, claims to be entitled for assignment of the land in question as per G.O.Ms.No.743, Revenue Department, Dated 30.04.1963. He made an application on 13.12.2002 to the respondents through the Zilla Sainik Welfare Officer requesting for allotment of land to him for agricultural purpose in Survey Nos.156,159 and 160 situate at Surangal village, Moinabad Mandal, Ranga Reddy District and met the Revenue Officials several times for the said purpose but, in vain. Hence, he moved this Court by way of present writ petition.

Heard both the learned counsel and perused the material available on record.

The learned Government Pleader for Revenue appearing for the respondents, on instructions, submitted that the land in Survey Nos. 156,159 and 160 situate at Surangal village, Moinabad Mandal, Ranga Reddy District were declared as surplus lands under A.P. Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 and the said land was permitted to be assigned only to the landless poor persons, but the same cannot be assigned to Ex-Servicemen. Against the said surplus land, C.R.P.Nos.2343 and 2068 of 2004 were filed before this Court and the same are pending. More so, for assignment of agricultural land in Survey Nos.156,159 and 160 situate at Surangal village, Moinabad Mandal, Ranga Reddy District, there is a ban under G.O.Ms.No.1409. He further submits that the application said to be filed by the petitioner is not available in the office.

In view of the facts and circumstances of the case, it is open for the petitioner to submit a fresh application directly to the respondents for assignment of the land other than the survey numbers, which were banned under the G.O.Ms.No.1409. Upon such application made by the petitioner, the respondents shall consider the same for assignment, subject to the availability of land in any other village of Moinabad Mandal.

The writ petition is accordingly disposed of with the above observations. No costs.

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A.Gopal Reddy, J

Date: 01.09.2004

va/ghn

To
1 The District Collector, Ranga Reddy District.
2 The Revenue Divisional Officer, Chevalla, Ranga Reddy District.
3 The Mandal Revenue Officer, Moinabad Mandal, Ranga Reddy District.

4 Two CCs to G.P. For Revenue, High Court of A.P. Buildings,
Hyderabad (OUT)

5 Two CD Copies